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APPLICATION NO.	FILING DA	ATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,504 03/28/2001		001	Masaru Eguchi		P20339	1223
7055	7590 08	08/29/2003				
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			,	EXAMINER		
					SUGARMAN, SCOTT J	
,					ART UNIT	PAPER NUMBER
	•				2873	
				•	DATE MAILED: 08/29/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

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Examiner	3	Application No.	Applicant(s)							
Scott J. Sugarman 2873 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is test ban briefy (30) stays, a reply within the statutory relievative more thing (30) stays will be considered timely. If the period for reply specified above is test ban briefy (30) stays, a reply within the statutory relievative more than the statutory relievative present will appear with a statutory relievative present will appear with all period of the communication. If the period for reply is specified above is test ban their (30) stays a reply within the statutory relievative minimum of thinky (30) stays will be considered timely. If the period for reply is specified above is test ban the statutory period will appear as (30) stays will be considered timely. If the period for reply is specified above, the mainima date of this communication. A proper service by the Office later than their consideration for all owners are stay and the statutory reply reviewed by the original statutory reply reviewed any seamed patient are adjusted to the communication. Status Status Status Status Status A possible of Claims Claims of Trisira allowed. Claims of Trisira allowed		09/818,504	EGUCHI ET AL.							
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Edutations of time map be available used the provincine of 3 CPR 1.18(a). In no event, however, may a risply be timely filled Edutations of time map be available used the provincine of 3 CPR 1.18(a). In no event, however, may a risply be timely filled If the period for risply specified above is less than thirty (30) days, vary and the provincine of thirty (30) days, was the considered timely. If No period for risply is specified down, the maximum stations period will apply and will explose (30) (MONTH's from the mailing date of this communication. Provincing the property of the provincine of the provincine of the communication of the communication of the provincine of the communication. Provincine the provincine of the provincine of the mailing date of this communication. Provincine the specification is condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1/1 is/are pending in the application. 4a) Of the above claim(s) 8/10 and 11 is/are withdrawn from consideration. 5) Claim(s) 2 is/are rejected. 7) Claim(s) 2 is/are rejected to. 8) Claim(s) 2 is/are rejected to. 8) Claim(s) 3 is/are rejected to. 8) Claim(s) 3 is/are rejected to. 10) The drawing(s) filled on 28 March 2001 is/are: a S accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 11) The proposed drawing correction filled on is: a approved by disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) Acknowledgment is made of a claim for foreign priority under	Office Action Summary	Examiner	Art Unit	_						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the government of 37 FR 1.136(a). In no event, horware, may a reply be limitly filled Extensions of time may be available under the government of 37 FR 1.136(a). In no event, horware, may a reply be limitly filled Extensions of time may be available under the government of 37 FR 1.136(a). In no event, horware, may a reply be limitly filled Extensions of time may be available under the government of the state of the common process of the state of the sta	·			_						
THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3 CPR 1.38(a). In or event, however, may a reply be limbly filed after SX (8) MONTIST from the mailing date of this communication. **SX (8) MONTIST from the mailing date of this communication. **BY (8) MONTIST from the mailing date of this communication. **Fallow be reply within the set or edunded prince for reply well. by statute, cause the application to become ABANDONED (38 U.S.C. § 133). **Any reply received by the Office are three hines meniods after the mailing date of this communication, even if threely filed, may reduce any substance patient term adjustment. See 37 CFR 1.794(b). **Status** **1) Responsive to communication(s) filed on 11 July 2003 **2a) This action is FINAL. **2b) This action is FINAL. **2b) This action is non-final. **3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. **Disposition of Claims** 4) Claim(s) 1-11 is/are pending in the application. 4a) Of the above claim(s) 8.10 and 11 is/are withdrawn from consideration. 5) Claim(s) 1-2 is/are allowed. 6) Claim(s) 1-2 is/are objected to. 8) Claim(s) 2 is/are rejected. 7) Claim(s) 2 is/are rejected. 7) Claim(s) 3 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 28 March 2001 is/are: al accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawings correction filed on		pears on the cover sheet with the c	orrespondence address							
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		5) Notice of Informal F								

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DETAILED ACTION

Election/Restrictions

Claims 8, 10 and 11 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 5.

Applicant's election with traverse of Group I (Claims 1-7 and 9) in Paper No. 5 is acknowledged. The traversal is on the ground(s) that all of the claims 1-11 (Groups I, II, III and IV) are directed to a focusing method for a zoom lens and that there would not be a serious burden to the Patent Office to examine all claims. This is not found persuasive because the structures specifically called for in the different Groups have a specific classification based on structure that would not have overlapping searches. For example, the search for the negative first lens group and positive second lens group structure of claim 8 (Group II) would not overlap with the search for a positive, negative, positive structure of Group I.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Imai. Imai teaches a zoom lens having a positive first lens group, a negative second lens group and a positive third lens group in this order from an object (see Fig. 3). The second lens group is a focusing lens group in a predetermined discrete focal length range (A) and the third lens group is a focusing lens group in another predetermined discrete focal length range (B) (see col. 4, lines 24-28).

Allowable Subject Matter

Claims 1-7 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claims, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented, for example, in independent claim 1, which include a focusing method for a zoom lens having the recited transverse magnification and the different focusing lens groups depending on the predetermined discrete focal length range.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott J. Sugarman whose telephone number is (703)308-4821.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Scott J Sugarmar Primary Examiner Art Unit 2873

sjs August 21, 2003